



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Eighth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP (MD) No.1145 of 2017

1 K. RAJA
2 K. VEERANNAN
3 R. KARTHICKRAJA
4 P. MUTHUSAMY ... PETITIONERS/ACCUSED NO.1 TO 4

Vs

STATE REP.BY ,
THE INSPECTOR OF POLICE
THUVARANKURICHY POLICE STATION,
TRICHY DISTRICT,
CRIME NO. 366/2016. ... RESPONDENT/COMPLAINANT

For Petitioner : MR.L.PRABHU, Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

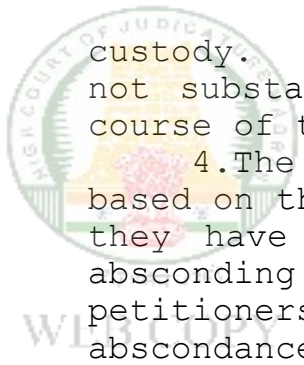
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who are arrayed as accused nos.1 to 4 were arrested and remanded to judicial custody on 09.01.2017 for the alleged offences punishable under Sections 394 and 397 of IPC in Crime No.366 of 2016, on the file of the respondent police and hence, seeks bail.

2. The case against the petitioners is that the petitioners along with two others have entered into the house of the defacto complainant on 08.11.2016 and had given the threat of death. They have looted 44.5 of sovereigns of of gold jewels from the house. On such, a complaint has been registered against petitioner.

3. However, the learned counsel for the petitioners submitted that there was some money transaction between the defacto complainant and the first petitioner. In order to recover the money given to the defacto complainant's family, petitioners along with other accused persons went and demanded the money. The family members of the defacto complainant voluntarily handed over the bag, informing them it contains magic toy which will bring fortune to them. He took the toy and when he opened the same, it contains jewels and he has voluntarily went to the police station and handed over the same. However, the police has arrested him and other accused persons were also arrested on and remanded to judicial



custody. The place by which the counsel for the petitioners have not substantiated by any statement recorded by the police in the course of the investigation.

4. The learned Government Advocate (Crl. Side) submits that based on the confession statement recorded from the first petitioner they have arrested five accused and the sixth accused is still absconding who is a known person to the first petitioner and if the petitioners are released on bail, there is possibility of abscondance and will be impossible to secure absconding accused.

5. In the circumstances, this Court is of the view that it is not conducive to release the petitioners on bail, till the investigation is completed and till the police secure the absconding accused.

6. Accordingly, the Criminal Original Petition is dismissed.

sd/-

08/03/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE INSPECTOR OF POLICE
THUVARANKURICHY POLICE STATION, TRICHY DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

+1. CC to M/S.L.PRABHU, Advocate SR.No.13684

CSL/RSK/SAR-II/13.03.2017 :2P/5C

ORDER

IN

CRL OP(MD) No.1145 of 2017

Date :08/03/2017